

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company  
for Authority to Implement Default CPP Rate  
Options For Large Customers.

Application 05-01-016  
(Filed January 20, 2005)

Application of San Diego Gas & Electric  
Company (U902-E) for Adoption of a 2005  
Default Critical Peak Pricing Structure for  
Commercial and Industrial Customers with Peak  
Demands Exceeding 300 kW.

Application 05-01-017  
(Filed January 20, 2005)

Southern California Edison Company's  
(U338-E) Application for Approval of Rate  
Design Proposals for Large Customers.

Application 05-01-018  
(Filed January 20, 2005)

**ASSIGNED COMMISSIONER'S RULING ESTABLISHING SCOPE,  
SCHEDULE, AND PROCEDURES FOR PROCEEDING**

Pursuant to Rules 6(a)(3) and 6.3 of the Commission's Rules of Practice and Procedure,<sup>1</sup> this ruling sets forth the procedural schedule, assigns the principal hearing officer, and addresses the scope of these proceedings following the prehearing conference (PHC) held February 27, 2005. This ruling is appealable only as to category of these proceedings under the procedures in Rule 6.4.

---

<sup>1</sup> All references to Rules are to the Commission's Rules of Practice and Procedure found in Title 20 of the California Code of Regulations.

### **1. Consolidation of Proceedings**

Under Rule 6.1, on January 27, 2005, the Commission preliminarily categorized Application (A.) 05-01-016, the application of Pacific Gas and Electric Company (PG&E), A.05-01-017, the application of San Diego Gas & Electric Company (SDG&E), and A.05-01-018, the application of Southern California Edison Company (SCE) as ratesetting as defined in Rule 5(c) and determined that the matter should be set for hearing. (Resolution ALJ 176-3146.) By ruling on February 1, 2005, these proceedings were consolidated.

### **2. Categorization, Need for Hearings, Ex Parte Rules and Designation of Principal Hearing Officer**

The parties agree with the Commission's preliminary categorization of these proceedings, and I affirm the preliminary categorizations of ratesetting and the need for hearing. The *ex parte* rules as set forth in Rule 7(c) and Pub. Util. Code § 1701.3(c)<sup>2</sup> apply.

In a ratesetting proceeding, Rule 5(k)(2) defines the presiding officer as the principal hearing officer designated as such by the assigned Commissioner prior to the first hearing in the proceeding. I have designated Administrative Law Judge Michelle Cooke as the principal hearing officer. The provisions of § 1701.3(a) apply.

### **3. Scoping Memo**

This proceeding will consider adoption of new rate schedules for all customers over 200 kW that provide strong peak demand signals. The proposed tariffs should be designed to recover the total revenue, including transmission and distribution charges, currently allocated to customers 200 kW and larger and

---

<sup>2</sup> All section references are to the Public Utilities Code unless otherwise indicated.

be class revenue neutral, compared to existing rates, based on current class load patterns.

#### **4. Schedule**

The following schedule will be adhered to as closely as possible.

<b>Event</b>	<b>Date</b>
Applications Filed	January 20, 2005
Request for Party Status/Information Only Due	February 7, 2005
Opening Testimony Served	February 15, 2005
Rebuttal Testimony Served	February 22, 2005
Motions to Strike Prepared Testimony Due	February 23, 2005
Prehearing Conference	February 24, 2005
Evidentiary Hearings	February 24- March 1, 2005
Opening Briefs (include request for Final Oral Argument)	March 14, 2005
Reply Briefs	March 21, 2005
ALJ Proposed Decision (shortened comment time)	March 28, 2005
Commission Decision	April 21, 2005
Implementation of New Rates	June 1, 2005

In Section 1 of Senate Bill (SB) 960 (Ch. 96-0856), the Legislature urges the Commission to resolve the issues within the scope of a proceeding categorized as ratesetting, such as this, within 18 months from the date of the filing of the application. The schedule that we have adopted should allow us to meet that goal.

As stated in the schedule above, and pursuant to Rule 8(d), parties requesting final oral argument before the Commission should include that request in their concurrent opening briefs.

#### **5. Filing and Service of Documents**

All formally filed documents must be filed in hard copy with the Commission's docket office. In order to ensure timely delivery of documents

and conserve resources, we will follow the electronic service protocols adopted by the Commission in Decision 04-12-057 which only requires service of documents to be performed electronically, unless the appearance or state service list member did not provide an email address. If no email address was provided, service should be made by United States mail. Parties should provide concurrent e-mail service to ALL persons on the service list, including those listed under "Information Only." Any document that is filed **MUST** also be served electronically.

## **6. Intervenor Compensation**

The PHC in this matter was held February 24, 2005. Pursuant to § 1804(a)(1), a customer who intends to seek an award of compensation should file and serve a notice of intent to claim compensation not later than March 26, 2005. A separate ruling will address eligibility to claim compensation.

Therefore, **IT IS RULED** that:

1. The schedule of this proceeding is as set forth in Section 4 in this ruling.
2. This ruling confirms the Commission's preliminary finding in Resolutions ALJ 176-3146 that the category for these proceedings is ratesetting and that hearings are necessary. This ruling, only as to category, is appealable under the procedures in Rule 6.4.
3. The *ex parte* rules as set forth in Rule 7(c) of the Commission's Rules of Practice and Procedure apply to this application.
4. Administrative Law Judge Cooke is the principal hearing officer.
5. Parties should serve all filings as set forth in Section 5 of this Ruling.

6. Any party requesting final oral argument before the Commission shall make such request on the date set for filing of concurrent opening briefs.

Dated March 11, 2005, at San Francisco, California.

/s/ MICHAEL R. PEEVEY

Michael R. Peevey  
Assigned Commissioner

## **CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties for whom an electronic mail address has been provided, this day served a true copy of the original attached Assigned Commissioner's Ruling Establishing Scope, Schedule, and Procedures for Proceeding on all parties of record in this proceeding or their attorneys of record.

Dated March 11, 2005, at San Francisco, California.

/s/ ELIZABETH LEWIS  
Elizabeth Lewis

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\*

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.